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असाधारण

EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

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No. 21] NEW DELHI, TUESDAY, JUNE 7, 1966/JYAISTHA 17, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह खलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 7th June, 1966/Jyaistha 17, 1888 (Saka)

The following President's Act is published for general information:—

THE PATTAZHI DEVASWOM LANDS (VESTING AND ENFRANCHISEMENT) AMENDMENT ACT, 1966

No. 5 of 1966

Enacted by the President in the Seventeenth Year of the Republic of India.

An Act to amend the Pattazhi Devaswom Lands (Vesting and Enfranchisement) Act 1961.

12 of 1965. In exercise of the powers conferred by section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1965, the President is pleased to enact as follows:—

1. This Act may be called the Pattazhi Devaswom Lands (Vesting and Enfranchisement) Amendment Act, 1966.

(211)

Amendment
of section
3.

2. In section 3 of the Pattazhi Devaswom Lands (Vesting and Enfranchisement) Act, 1961 (hereinafter referred to as the principal Act), for clauses (c) and (g), the following clauses shall respectively be substituted and be deemed always to have been substituted, namely:—

Kerala Act
21 of 1964.

‘(c) “holding” means any land (including any land entered as “tharissu” in the revenue records) owned by the Temple and held by a tenant;

(g) “tharissu” means any land entered as “tharissu” in the revenue records and owned by the Temple but does not include any such land held by a tenant.

Amendment
of section
7.

3. In section 7 of the principal Act, for the proviso to sub-section (3), the following proviso shall be substituted, namely:—

“Provided that no interest shall be charged on such amount if it is paid in a lump sum within thirty days extent following the date of receipt by the tenant of the order of the officer appointed or authorised under sub-section (2) of section 9, settling the amount.”.

“Tharissu”
held by
tenants
deemed not
to have
vested in
the Govern-
ment.

4. For the removal of doubts, it is hereby declared that no land registered as “tharissu” in the revenue records and held by a tenant immediately before the commencement of the principal Act shall be deemed after such commencement to have vested in the Government.

S. RADHAKRISHNAN,
President.

S. P. SEN-VARMA,
Secy. to the Govt. of India.

Reasons for the enactment

The Pattazini Devaswom Lands (Vesting and Enfranchisement) Act, 1961, provides that the tenants of a Temple shall have full proprietary rights in the lands comprised in their respective holdings, subject to payment of compensation and for the vesting of all 'tharissu' (i.e. waste lands of the Temple) in the Government. It has come to the notice of the Kerala Government that some lands entered as 'tharissu' in the revenue records and owned by the Temple are comprised in the holdings of the tenants. As the intention was to vest in the Government only such 'tharissu' lands as were not comprised in the holdings of the tenants, it has become necessary to provide that the land entered as 'tharissu' in the revenue records and owned by the Temple which is held by a tenant, will form part of his holdings.

2. The proviso to sub-section (3) of section 7 enacts that no interest shall be charged under the Act if such amount is paid by the tenants in a lump sum within a period of one year from the commencement of the Act. As the amount of compensation to be paid by them could not be settled within the aforesaid period, the tenants could not avail themselves of this concession. It is considered desirable to provide that no interest shall be charged on the amount of compensation if the same is paid in a lump sum within thirty days from the date of service on the tenants of the order settling the amount of compensation.

3. The amending Act is intended to achieve the above objects.

4. The Committee constituted under the proviso to sub-section (2) of section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1965 (12 of 1965), has approved the enactment of this measure as a President's Act.

G. R. KAMAT,
Secy. to the Govt. of India,
Planning Commission.

